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SUBJECT: PLATEAU STATE UPDATE: EMERGENCY POWERS APPROVED,
COURT CHALLENGES FILED

1. On June 1, both houses of the National Assembly approved President Obasanjo's petition to establish emergency powers under Plateau State's State of Emergency (SOE). Included in the petition are sections regarding detention of persons, curfew, processions and meetings, and control of arms and explosives. The President's petition calls for summary trials and convictions for violators, and gives the sole administrator the power to detain persons indefinitely.

2. Although the President based his petition on Nigeria's Emergency Powers Act of 1961, the Senate stripped any reference to that act from the approved version of the petition. The House then modified its version, and the President signed the bill into law.

3. Also on June 1, civil rights activists, including National Conscience Party chairman Chief Gani Fawehinmi, filed two suits in Federal High Court in Abuja while the National Assembly was debating the emergency powers petition. The suits seek a judicial determination whether whether President Obasanjo's actions under the SOE, including the suspension of the elected governor and state Assembly and appointment of a sole administrator, are constitutional. The two suits also claim that because the Emergency Powers Act of 1961 is no longer valid, the President's emergency powers petition is invalid, an argument the Senate sought to head off by removing references to the 1961 Act. On June 16, the GON responded to the lawsuits by seeking to have them dismissed on minor legal technicalities. On June 21, the Abuja High Court ruled that three of the lawsuits should be consolidated into a single case and scheduled a hearing for July 15-17.

4. On June 4 at a breakfast meeting, Gen. Alli was sworn in as the Plateau State sole administrator by President Obasanjo. Meanwhile, the suspended Plateau State Assembly challenged the body's suspension in Abuja and Jos courts, claiming that the Assembly was ready to perform its constitutional duties and should not have been suspended. On June 21, the Federal High Court in Jos adjourned the case to July 2.
CAMPBELL